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RICHARD W. WIEKING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT IN AND FOR SC  
THE NORTHERN DISTRICT OF CALIFORNIA

HOUTAN PETROLEUM, INC.

Plaintiff,

vs.

CONOCOPHILLIPS COMPANY, a  
Texas Corporation and DOES 1  
through 10, Inclusive

Defendants.

CASE NO.

CV 07

5627

~~PROPOSED~~ ORDER GRANTING  
TEMPORARY RESTRAINING  
ORDER AND ORDER TO SHOW  
CAUSE RE: PRELIMINARY  
INJUNCTION

TO DEFENDANT, CONOCOPHILLIPS COMPANY AND TO ITS  
ATTORNEY OF RECORD:

The Court having considered Plaintiff's Application for Temporary Restraining  
Order/Preliminary Injunctive relief requesting that Defendant, ConocoPhillips  
Company, you, your officers, agents, servants, employees and attorneys, and all those  
in active concert or participation with you be compelled, prohibited, restrained,  
enjoined and ordered as follows:

- From taking any further action to interfere with Plaintiff, Houtan  
Petroleum, Inc.'s, assumption of immediate possession as the tenant at  
the premises located at 101 E. El Camino Real, Mountain View,  
California 94040 upon the termination of ConocoPhillips' right to grant  
possession of such premises October 31, 2007;

- 1       ● From removing, or causing, in any manner to be removed any equipment
- 2       or improvements located at the premises located at 101 E. El Camino
- 3       Real, Mountain View, California 94040;
- 4       ● Compelling it to resume its franchise relationship with Plaintiff, Houtan
- 5       Petroleum, Inc., including but not limited to the delivery of motor fuel
- 6       and electronic processing of credit card sales transactions pursuant to its
- 7       franchise agreement with Plaintiff;
- 8       ● Being compelled by this Court to continue to sell and supply Union 76
- 9       branded fuel to Plaintiff under the existing retail sales agreement
- 10      between Plaintiff and ConocoPhillips Company.

11       The Court having duly considered the Complaint on file herein, the Notice of  
12      Application, the accompanying Memorandum of Points and Authorities, the  
13      Declarations of Ed Haddad and Thomas P. Bleau and Exhibits attached thereto, filed  
14      concurrently herewith, all pleadings and papers on file in this action and good cause  
15      appearing,

16       **IT IS HEREBY ORDERED** that said Application for a Temporary Restraining  
17      Order/Preliminary Injunctive relief is **GRANTED** so that ConocoPhillips Company,  
18      its officers, agents, servants, employees and attorneys, and all those in active concert  
19      or participation with it (hereinafter referred to as the "Enjoined Parties") are  
20      compelled, prohibited, restrained, enjoined and ordered as follows:

- 21      ● The Enjoined Parties are so enjoined from taking any further action to
- 22      interfere with Plaintiff, Houtan Petroleum, Inc.'s, assumption of
- 23      immediate possession as the tenant at the premises located at 101 E. El
- 24      Camino Real, Mountain View, California 94040 upon the termination of
- 25      ConocoPhillips' right to grant possession of such premises October 31,
- 26      2007;
- 27      ● Such Enjoined Parties are so enjoined from removing, or causing, in any
- 28      manner to be removed any equipment or improvements located at the

premises located at 101 E. El Camino Real, Mountain View, California 94040;

- Such Enjoined Parties are so ordered compelled to resume ConocoPhillips' franchise relationship with Plaintiff, Houtan Petroleum, Inc., including but not limited to the delivery of motor fuel and electronic processing of credit card sales transactions pursuant to its franchise agreement with Plaintiff;
- Such Enjoined Parties are so compelled by this Court to continue to sell and supply Union 76 branded fuel to Plaintiff under the existing retail sales agreement between Plaintiff and ConocoPhillips Company.

The above Temporary Restraining Order is effective immediately. This Order to Show Cause and supporting papers must be served on Defendant no later than \_\_\_\_\_, 2007, and proof of service shall be filed no later than \_\_\_\_\_, 2007. Any response or opposition to this Order to Show Cause must be filed and personally served on Plaintiff's counsel no later than 11/9/07, and proof of service shall be filed no later than 11/12/07. Any reply to this Order to Show Cause must be filed and served on Defendant no later than 11/13/07, and proof of service shall be filed no later than 11/14/07.

Dated: 11/6/2007

Samuel J. Danilov  
United States District Judge

Presented by:  
BLEAU / FOX, A P.L.C.

Thomas P. Bleau, Esq.  
Gennady L. Lebedev, Esq.  
Attorneys for Plaintiff,  
HOUTAN PETROLEUM, INC.

ORDER TO Show Cause ~~Re~~ Preliminary  
Injunction Hearing set for 11/16/07  
at 10:00 A.M. Before Judge Samuel  
Conti